IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1748 OF 2004

IN

EXECUTION APPLICATION NO.436 OF 2002

IN

ARBITRATION CASE NO.A/28/2002-2003

M/s.Remitex & Remitexon ...Plaintiff

Versus

M/s.Bhuvika Enterprises ...Defendants

And

Mr.Veerchand Jain ...Applicant

.....

Mrs.Mamta Panigrahi i/b Kiran Jain & Co.
for Applicant.

.....

CORAM: A.M.KHANWILKAR, J.

AUGUST 17, 2005.

P.C.

1. It is brought to my notice by the Counsel appearing for the Applicant that this Chamber Summons was listed along with the companion Chamber

Summonses Nos.1630 of 2004 and 1749 of 2004 on 5th July 2005 and similar order was passed in the present Chamber Summons as passed on those Chamber Summonses on that day. However, the order which has been transcribed in the present Chamber Summon is incorrect.

2. There is substance in the grievance made by the Applicant. Even the present Chamber Summons was ordered to be made absolute on 5th July 2005, as it involves similar question as in companion Chamber Summonses disposed of on that day.

3. Accordingly, for the reasons mentioned in the order passed on 5th July 2005 in companion Chamber Summonses Nos.1630 of 2004 and 1749 of 2004, present Chamber Summons is made absolute in terms of prayer clause (a). No order as to costs.

A.M.KHANWILKAR, J.